IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3800 OF 2004

IN

INCOME TAX APPEAL (LODG) 1572 OF 2004

The Commissioner of Income Tax .... Appellant

Vs.

M/s S. Kumar Research & Development Pvt. Ltd. .... Respondent

Mr. P.P. Bhosale with Mr. B.M. Chatterji for Appellant.
None for respondent.

CORAM : F.I. REBELLO, &
J.P. DEVADHAR, JJ.

DATE : 14TH AUGUST, 2007

P.C.

1) We have considered the appeal in support of motion. There is no explanation between 24th April 2003 and 9th August 2004 and thereafter between 9th August 2004 and 22nd December 2004. Considering the above, motion is dismissed.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**

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1) In view of dismissal of the notice of motion, the appeal does not survive and is dismissed accordingly. Refund of court fees as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) **(F.I. REBELLO, J.)**